

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAHKEEM MILLER *et al.*,

Plaintiffs,

-against-

CITY OF NY *et al.*,

Defendants.

ORDER

21-CV-2616 (PKC) (JW)

JENNIFER E. WILLIS, United States Magistrate Judge:

For the reasons stated more fully on the record, the Court resolves the pending Motions as follows:

- The City's Challenge to exclude those who signed releases is DENIED.
- The City's Challenge to exclude those "serving a sentence of incarceration" is GRANTED, but only for the part of the claim during which those Claimants were "serving a sentence of incarceration." For clarification, this is a blanket ruling applying to all those "serving a sentence of incarceration," including Mr. Foote.
- Class Counsel's Challenge to include the time periods that six individual claimants were placed in the Contagious Disease Unit is GRANTED in part and DENIED in part.
 - Michael Caraballo – GRANTED
 - Michael Masturzi – GRANTED
 - Raheem Wilson – DENIED
 - Joshua Morciglio – GRANTED
 - Ruhim Ullah – GRANTED
 - Kadeem Anderson – GRANTED

Next, the Motion to Seal exhibits at Dkt. No. 143 is GRANTED.

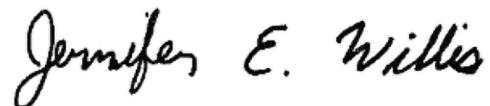
Finally, the Parties agreed to waive all rights to appeal this decision either to the District Judge or the Second Circuit Court of Appeals. Dkt. No. 132. The Parties also agreed not to assert this decision has any preclusive effect against a

party in any other matter. Id. The Parties also agreed not to submit this decision to any reporter or internet database for publication. Id.

The Clerk of the Court is respectfully requested to close Dkt. Nos. 108, 109, 115, 117, 141, 142, 143, and 144.

SO ORDERED.

DATED: New York, New York
September 26, 2024



JENNIFER E. WILLIS
United States Magistrate Judge